

Please type a plus sign (+) inside this box [+]

Approved for use through 09/30/00. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

UTILITY PATENT APPLICATION TRANSMITTAL		Attorney Docket No.	1256-00765	Total Pages	52
(Only for new nonprovisional applications under 37 CFR 1.53(b))		First Named Inventor or Application Identifier Hector F. DeLuca			
APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents		Express Mail Label No. EL661052379US			
ADDRESS TO: Commissioner for Patents Box Patent Application Washington, D.C. 20231					
1. <input checked="" type="checkbox"/> Fee Transmittal Form (Submit an original, and a duplicate for fee processing)		6. <input type="checkbox"/> Microfiche Computer Program (Appendix)			
2. <input checked="" type="checkbox"/> Specification [Total Pages 45] (preferred arrangement set forth below) <ul style="list-style-type: none">- Descriptive title of the Invention- Cross References to Related Applications- Statement Regarding Fed sponsored R & D- Reference to Microfiche Appendix- Background of the Invention- Brief Summary of the Invention- Brief Description of the Drawings (if filed)- Detailed Description- Claim(s)- Abstract of the Disclosure		7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) <ul style="list-style-type: none">a. <input type="checkbox"/> Computer Readable Copyb. <input type="checkbox"/> Paper Copy (identical to computer copy)c. <input type="checkbox"/> Statement verifying identity of above copies			
3. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets 6]		ACCOMPANYING APPLICATION PARTS			
4. Oath or Declaration [Total Pages] <ul style="list-style-type: none">a. <input type="checkbox"/> Newly executed (original or copy)b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 17 completed) [Note Box 5 below]i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).		8. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))			
5. <input type="checkbox"/> Incorporation By Reference (useable if Box 4b is checked). The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.		9. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney (when there is an assignee)			
17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No.: /		10. <input type="checkbox"/> English Translation Document (if applicable)			
18. CORRESPONDENCE ADDRESS		11. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations			
<input type="checkbox"/> Customer Number or Bar Code Label		Insert Customer No. or Attach bar code label here		<input checked="" type="checkbox"/> Correspondence address below.	
NAME	Thomas M. Wozny (Reg. No. 28,922)				
ADDRESS	ANDRUS, SCEALES, STARKE & SAWALL, LLP				
	100 East Wisconsin Avenue				
	Suite 1100				
CITY	Milwaukee	STATE	Wisconsin	ZIP CODE	53202-4178
COUNTRY	U.S.A.	TELEPHONE	(414) 271-7590	FAX	(414) 271-5770

CERTIFICATE OF EXPRESS MAIL

This is to certify that this correspondence is being deposited with the United States Postal Service as EXPRESS MAIL POST OFFICE TO ADDRESSEE in an envelope addressed to Commissioner of Patents, Washington D.C., 20231 on this 31st day of May, 2001. The Express Label is EL661052379US.



Dorothy A. Hauser

May 31, 2001

Date

09874227 053401
TOTED 227/860

PTO/SB/17 <div style="text-align: center;">FEE TRANSMITTAL</div>		<div style="text-align: center;">COMPLETE IF KNOWN</div> <table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>Application Number</td><td></td></tr> <tr><td>Filing Date</td><td>Herein</td></tr> <tr><td>First Named Inventor</td><td>Hector F. DeLuca</td></tr> <tr><td>Group Art Unit</td><td></td></tr> <tr><td>Examiner Name</td><td></td></tr> <tr><td>Attorney Docket Number</td><td>1256-00765</td></tr> </table>		Application Number		Filing Date	Herein	First Named Inventor	Hector F. DeLuca	Group Art Unit		Examiner Name		Attorney Docket Number	1256-00765																																																																																																																																															
Application Number																																																																																																																																																														
Filing Date	Herein																																																																																																																																																													
First Named Inventor	Hector F. DeLuca																																																																																																																																																													
Group Art Unit																																																																																																																																																														
Examiner Name																																																																																																																																																														
Attorney Docket Number	1256-00765																																																																																																																																																													
Total Amount of Payment (\$) 2,139.00																																																																																																																																																														
METHOD OF PAYMENT (check one) 1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number 01.2000 Deposit Account Name ANDRUS, SCEALES, STARKE & SAWALL, LLP <input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Charge the Issue Fee set in 37 CFR 1.18 at the Mailing of the Notice of Allowance. 37 CFR 1.311(b) 2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other		FEE CALCULATION (continued) 3. ADDITIONAL FEES <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Small Entity Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65 Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25 Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130 Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520 For filing a request for examination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920* Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840* Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55 Extension for response within first month</td><td></td></tr> <tr><td>116</td><td>380</td><td>216</td><td>190 Extension for response within second month</td><td></td></tr> <tr><td>117</td><td>870</td><td>217</td><td>435 Extension for response within third month</td><td></td></tr> <tr><td>118</td><td>1,360</td><td>218</td><td>680 Extension for response within fourth month</td><td></td></tr> <tr><td>128</td><td>1,850</td><td>228</td><td>925 Extension for response within fifth month</td><td></td></tr> <tr><td>119</td><td>300</td><td>218</td><td>150 Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>300</td><td>220</td><td>150 Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>260</td><td>221</td><td>130 Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510 Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55 Petition to revive unavoidably abandoned application</td><td></td></tr> <tr><td>141</td><td>1,210</td><td>241</td><td>605 Petition to revive unintentionally abandoned application</td><td></td></tr> <tr><td>142</td><td>1,240</td><td>242</td><td>620 Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>440</td><td>243</td><td>220 Design issue fee</td><td></td></tr> <tr><td>144</td><td>580</td><td>244</td><td>290 Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130 Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50 Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>240</td><td>126</td><td>240 Submission of Information Disclos. Stmt.</td><td></td></tr> <tr><td>591</td><td>40</td><td>591</td><td>40 Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>710</td><td>246</td><td>355 Filing a submission after final rejection (37 CFR 1.29(a))</td><td></td></tr> <tr><td>149</td><td>710</td><td>249</td><td>355 For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td colspan="5">Other fee (specify) _____</td></tr> <tr><td colspan="5">Other fee (specify) _____</td></tr> <tr><td colspan="5">* Reduced by Basic Filing Fee Paid</td></tr> <tr><td colspan="4" style="text-align: right;">SUBTOTAL (3)</td><td></td></tr> </tbody> </table>		Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid	105	130	205	65 Surcharge - late filing fee or oath		127	50	227	25 Surcharge - late provisional filing fee or cover sheet		139	130	139	130 Non-English specification		147	2,520	147	2,520 For filing a request for examination		112	920*	112	920* Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840* Requesting publication of SIR after Examiner action		115	110	215	55 Extension for response within first month		116	380	216	190 Extension for response within second month		117	870	217	435 Extension for response within third month		118	1,360	218	680 Extension for response within fourth month		128	1,850	228	925 Extension for response within fifth month		119	300	218	150 Notice of Appeal		120	300	220	150 Filing a brief in support of an appeal		121	260	221	130 Request for oral hearing		138	1,510	138	1,510 Petition to institute a public use proceeding		140	110	240	55 Petition to revive unavoidably abandoned application		141	1,210	241	605 Petition to revive unintentionally abandoned application		142	1,240	242	620 Utility issue fee (or reissue)		143	440	243	220 Design issue fee		144	580	244	290 Plant issue fee		122	130	122	130 Petitions to the Commissioner		123	50	123	50 Petitions related to provisional applications		126	240	126	240 Submission of Information Disclos. Stmt.		591	40	591	40 Recording each patent assignment per property (times number of properties)		146	710	246	355 Filing a submission after final rejection (37 CFR 1.29(a))		149	710	249	355 For each additional invention to be examined (37 CFR 1.129(b))		Other fee (specify) _____					Other fee (specify) _____					* Reduced by Basic Filing Fee Paid					SUBTOTAL (3)				
Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																										
105	130	205	65 Surcharge - late filing fee or oath																																																																																																																																																											
127	50	227	25 Surcharge - late provisional filing fee or cover sheet																																																																																																																																																											
139	130	139	130 Non-English specification																																																																																																																																																											
147	2,520	147	2,520 For filing a request for examination																																																																																																																																																											
112	920*	112	920* Requesting publication of SIR prior to Examiner action																																																																																																																																																											
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action																																																																																																																																																											
115	110	215	55 Extension for response within first month																																																																																																																																																											
116	380	216	190 Extension for response within second month																																																																																																																																																											
117	870	217	435 Extension for response within third month																																																																																																																																																											
118	1,360	218	680 Extension for response within fourth month																																																																																																																																																											
128	1,850	228	925 Extension for response within fifth month																																																																																																																																																											
119	300	218	150 Notice of Appeal																																																																																																																																																											
120	300	220	150 Filing a brief in support of an appeal																																																																																																																																																											
121	260	221	130 Request for oral hearing																																																																																																																																																											
138	1,510	138	1,510 Petition to institute a public use proceeding																																																																																																																																																											
140	110	240	55 Petition to revive unavoidably abandoned application																																																																																																																																																											
141	1,210	241	605 Petition to revive unintentionally abandoned application																																																																																																																																																											
142	1,240	242	620 Utility issue fee (or reissue)																																																																																																																																																											
143	440	243	220 Design issue fee																																																																																																																																																											
144	580	244	290 Plant issue fee																																																																																																																																																											
122	130	122	130 Petitions to the Commissioner																																																																																																																																																											
123	50	123	50 Petitions related to provisional applications																																																																																																																																																											
126	240	126	240 Submission of Information Disclos. Stmt.																																																																																																																																																											
591	40	591	40 Recording each patent assignment per property (times number of properties)																																																																																																																																																											
146	710	246	355 Filing a submission after final rejection (37 CFR 1.29(a))																																																																																																																																																											
149	710	249	355 For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																											
Other fee (specify) _____																																																																																																																																																														
Other fee (specify) _____																																																																																																																																																														
* Reduced by Basic Filing Fee Paid																																																																																																																																																														
SUBTOTAL (3)																																																																																																																																																														
1. FILING FEE <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Small Entity Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>103</td><td>710</td><td>201</td><td>355 Utility filing fee</td><td>\$355.00</td></tr> <tr><td>106</td><td>320</td><td>206</td><td>160 Design filing fee</td><td></td></tr> <tr><td>107</td><td>490</td><td>207</td><td>245 Plant filing fee</td><td></td></tr> <tr><td>108</td><td>710</td><td>208</td><td>355 Reissue filing fee</td><td></td></tr> <tr><td>114</td><td>150</td><td>214</td><td>75 Provisional filing fee</td><td></td></tr> <tr><td colspan="5">SUBTOTAL (1) (\$ 355.00)</td></tr> </tbody> </table>		Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid	103	710	201	355 Utility filing fee	\$355.00	106	320	206	160 Design filing fee		107	490	207	245 Plant filing fee		108	710	208	355 Reissue filing fee		114	150	214	75 Provisional filing fee		SUBTOTAL (1) (\$ 355.00)					2. CLAIMS <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th>Fee From below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Total claims 116 - 20 = 96</td> <td>X \$9</td> <td>= \$864.00</td> </tr> <tr> <td>Independent Claims 26 - 3 = 23</td> <td>X \$40</td> <td>= \$920.00</td> </tr> <tr> <td>Multiple Dependent Claims _____</td> <td>X _____</td> <td>= _____</td> </tr> </tbody> </table> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Small Entity Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>103</td><td>18</td><td>203</td><td>9 Claims in excess of 20</td><td></td></tr> <tr><td>102</td><td>80</td><td>202</td><td>40 Independent claims in excess of 3</td><td></td></tr> <tr><td>104</td><td>270</td><td>204</td><td>135 Multiple dependent claim</td><td></td></tr> <tr><td>109</td><td>80</td><td>209</td><td>40 Reissue independent claims over original patent</td><td></td></tr> <tr><td>110</td><td>18</td><td>210</td><td>9 Reissue claims in excess of 20 and over original patent</td><td></td></tr> <tr><td colspan="5">SUBTOTAL (2) (\$ 1784.00)</td></tr> </tbody> </table>			Fee From below	Fee Paid	Total claims 116 - 20 = 96	X \$9	= \$864.00	Independent Claims 26 - 3 = 23	X \$40	= \$920.00	Multiple Dependent Claims _____	X _____	= _____	Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid	103	18	203	9 Claims in excess of 20		102	80	202	40 Independent claims in excess of 3		104	270	204	135 Multiple dependent claim		109	80	209	40 Reissue independent claims over original patent		110	18	210	9 Reissue claims in excess of 20 and over original patent		SUBTOTAL (2) (\$ 1784.00)																																																																													
Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																										
103	710	201	355 Utility filing fee	\$355.00																																																																																																																																																										
106	320	206	160 Design filing fee																																																																																																																																																											
107	490	207	245 Plant filing fee																																																																																																																																																											
108	710	208	355 Reissue filing fee																																																																																																																																																											
114	150	214	75 Provisional filing fee																																																																																																																																																											
SUBTOTAL (1) (\$ 355.00)																																																																																																																																																														
	Fee From below	Fee Paid																																																																																																																																																												
Total claims 116 - 20 = 96	X \$9	= \$864.00																																																																																																																																																												
Independent Claims 26 - 3 = 23	X \$40	= \$920.00																																																																																																																																																												
Multiple Dependent Claims _____	X _____	= _____																																																																																																																																																												
Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																										
103	18	203	9 Claims in excess of 20																																																																																																																																																											
102	80	202	40 Independent claims in excess of 3																																																																																																																																																											
104	270	204	135 Multiple dependent claim																																																																																																																																																											
109	80	209	40 Reissue independent claims over original patent																																																																																																																																																											
110	18	210	9 Reissue claims in excess of 20 and over original patent																																																																																																																																																											
SUBTOTAL (2) (\$ 1784.00)																																																																																																																																																														
SUBMITTED BY Typed or Printed Name Thomas M. Wozny Signature <i>Thomas M. Wozny</i> Date 5-31-01		Complete (if applicable) Registration Number 28,922 Deposit Account User ID _____																																																																																																																																																												

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Hector F. DeLuca
Rafal R. Sicinski

Filed Herein For:

2-ETHYL AND 2-ETHYLIDENE-19-
NOR-VITAMIN D COMPOUNDS

) CERTIFICATE OF EXPRESS MAILING
) I hereby certify that this correspondence is
) being deposited with the United States Postal
) Service with sufficient postage as EXPRESS
) MAIL in an envelope addressed to:
) Commissioner of Patents Washington, D.C.
) 20231 on this 31st day of May, 2001. The
) Express Mail Label is EL661052379US.
) *Dorothy A. Hauser* May 31, 2001
) Dorothy A. Hauser Date

SUPPLEMENT TO TRANSMITTAL LETTERBox: Application Branch
Commissioner of Patents
Washington, DC 20231

Sir:

This application is being filed pursuant to 35 USC §111 and 37 C.F.R. §1.53(b). The application includes the specification, at least one claim, and the filing fee. The Declaration is not included. The inventors are Hector F. DeLuca of 1809 Highway BB, Deerfield, Wisconsin 53531, a citizen of the United States and Rafal R. Sicinski of ul., Waszyngtona 33 m. 150, 04-030 Warsaw, Poland, a citizen of Poland.

The Declaration will be forwarded promptly upon notification from the U.S. Patent and Trademark Office.

Please address all correspondence and telephone calls regarding this matter to:

Thomas M. Wozny
Andrus, Sceales, Starke & Sawall, LLP
100 East Wisconsin Avenue, Suite 1100
Milwaukee, Wisconsin 53202
(414) 271-7590

Respectfully submitted,

ANDRUS, SCEALES, STARKE & SAWALL, LLP

By *Thomas M. Wozny*
 Thomas M. Wozny
 Reg. No. 28,922

Andrus, Sceales, Starke & Sawall, LLP
 100 East Wisconsin Avenue, Suite 1100
 Milwaukee, WI 53202
 (414) 271-7590
 Attorney Docket No.: 1256-00765

09071227 053401
 10450 22272850